



# The Spirit of Saba Saba Lives on in Devolution

By Rose Lukalo-Owino



Chaos has never stopped Kenyans from building the country they want, and if there was ever a moment that summarised this spirit, it is Saba Saba - the date of a meeting that never took place.

It has been 30 years since opposition leaders Kenneth Matiba and Charles Rubia announced that they would lead a public rally to press for the return of multiparty democracy. Whatever their political motives, Matiba and Rubia triggered a tsunami and unleashed the thunderbolt that is the Kenyan spirit.

President Daniel arap Moi went to extremes to kill the idea, using every possible public institution to try and disrupt and scuttle the meeting. He ordered the detention of key supporters of the movement on 6 July 1990, banned gatherings and issued myriad warnings through the police, his cabinet, the media and every state organ. On July 7<sup>th</sup>, 1990, the date of the meeting, roads were blocked and baton-wielding police stood as a visible threat all over the city of Nairobi and towns across the country. Blows rained down on people heading out of the slums. Hospitals and clinics scrambled to tend to those injured. There were tear gas-burned eyes and lungs across the city, but especially near the Kamukunji venue that had been ringed by police.

The meeting never happened but the day-long run-ins with power demonstrated what had been born

- and has never died.

The political chaos of that moment only emphasises the spirit of Saba Saba - the spirit of Kenyans' determination to have the country they want. A year later, political pluralism was a reality, and with it began the expansion of the democratic space. Almost immediately afterwards, the push shifted to reforms with multiple milestones.

Twenty years later, in 2010, a new constitution was in place, and with it the promise of a different country.

### **True reformists vs. impostors**

When fully implemented, the 2010 Constitution will permanently disrupt the way Kenya has been governed, and will guarantee a basic quality of life and dignity for every Kenyan. But a lot has to happen before then.

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The shift saw one-time supporters of the oppressive KANU regime take to wearing the proverbial sheepskin, learn the language of reform and insert themselves back into the machinery of government, thus interfering with the design like badly written computer code. Behind the scenes, the abuse of state instruments, primitive accumulation of capital and rabid theft of public resources took up again as it had since independence, thereby slowing down progress.

But while impostors are clogging the pipes of government delivery, an army of Kenyans across the country, including a growing number within the political leadership, are keeping the spirit of Saba Saba alive, and are now quietly working to unblock the system and put things where they should be.

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Devolved governance through the 47 counties is bringing government closer to the people. For some counties, such as Mandera, devolution has brought basic services and infrastructure, such as tarmacked roads, for the first time. Despite a lack of equipment, doctors performed the first ever Caesarean section at Modogashe Sub-county Hospital in Garissa County in 2016, safely delivering a baby boy and saving the life of his 18-year-old mother who had been in labour for two days. That was just days after doctors at Balambala, another ward level hospital in Garissa, conducted a similar procedure.

These stories of first time medical operations in what were once abandoned rural areas have become almost ordinary as counties take control of health services by upgrading and building facilities, recruiting staff, and ensuring that equipment and medicines are available.

The ongoing construction of the 750-bed Kakamega County Teaching and Referral Hospital will change the face of healthcare beyond the county and tick many boxes for health sector needs in the region. This health facility will be the third biggest referral hospital in the country in terms of bed capacity. The first phase of this Sh6 billion investment is scheduled to open later this year.

It is not as straightforward as it seems. Despite health services having been devolved, the central government has not relinquished control of the structures that should support counties. The Kenya

Medical Supplies Authority (KEMSA) and the Ministry of Health currently run like a monopoly medical store that the counties are forced to buy from. Governors have tried to negotiate with the central government to have KEMSA restructured and give them a bigger say in management and control so they can plan collectively for the whole county and leverage economies of scale to get the best price and quality for drugs and equipment. To no avail.

In mid-2015, and after much protestation, governors from all 47 counties caved in to pressure and signed onto a Sh38 billion medical equipment leasing deal, despite the concerns they had, including the lack of specialists to operate and maintain the equipment and the fact that no one had assessed local priorities for health in the different counties. Around 100 hospitals were arbitrarily designated to receive a package that included dialysis machines, ultrasound machines, theatre equipment, intensive care unit (ICU) equipment, incinerators, sterilising units and an assortment of cancer treatment machines. The bill for all this was sent to county governments.

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With that controversial move still unresolved, mid-2018 saw the central government telling counties they must now pay double for the leased equipment – a collective bill of Sh9 billion each year, according to Isiolo Governor, Dr Mohammed Kuti, who heads the Council of Governors Health Committee. Enquiries were casually brushed off by the Principal Secretary for Health, Peter Tum, who told the media that the central government needs to buy more equipment due to a rise in demand. Meanwhile, a report released this year by the Institute of Economic Affairs entitled “The Leasing of Medical Equipment Project in Kenya: Value for Money Assessment” found that some of the equipment lying in county stores was gathering dust while other equipment is yet to be supplied.

### **The case of Nairobi: A return to dictatorship?**

The chaos – authoritarian style – serves as a constant backdrop to the progress and fits the tradition in which Saba Saba came into being.

It is a style that was very much in evidence early this year when the central government moved in to take over the running of Nairobi City County. The usual political shenanigans on display, Nairobians watched in bewilderment as Governor Mike Mbuvi Sonko found himself at State House at the televised signing of a document that gave away the keys to Nairobi City County coffers. A new Nairobi Metropolitan Services (NMS) was hurriedly imposed on the county in February without consulting the electorate that put Sonko in the seat of governor. Treasury quickly allocated and disbursed Sh26.4 billion to NMS.

Nairobi has been through some crazy times, with the governor at odds with almost all the executives he himself appointed. Sonko’s governance style included quarrels with the elected members of the county assembly (MCAs), dismissals of staff and allegations of corruption made against Sonko and by Sonko against other county officials.

Despite the political noise, Nairobi city has for the first time in a decade gone through a rainy season without loss of life or property to flooding. Like it or not, credit goes to the Sonko-led clean-up that saw months of drain-clearing last year. Street lights are working, potholes have been filled, fire stations and county clinics have received facelifts. Working with the Kenya Urban Roads Authority, Nairobi City County gave the road network in Eastlands an unprecedented makeover, with the repair of 38 roads totalling almost 80 kilometres.

Accolades aside, Sonko should never have been the Governor of Nairobi, not least because of a criminal past that he himself admits to. But as the political chaos goes in Kenya, behind-the-scenes machinations gave Sonko a clean pass to the position; he was even awarded the national honour of the Elder of the Burning Spear.

Early efforts to impeach and remove him from office on grounds of abuse of office, corruption and violation of the Constitution would have been the right way to go but stalled when MCAs withdrew their motion. However, the forceful takeover staged by the central government is difficult to understand, and predictably, a court declared the takeover illegal in June this year.

Annual audits of county government's financial accounts by the Auditor General have found many gaps and reports of corruption and abuse of office are common. No sitting official has yet been removed but several impeachment motions are flying in.

### **Devolution is oiling local economies**

Sonko's counterpart from Kirinyaga County, Ann Waiguru survived an impeachment hearing in June that spoke to concerns about the state of health service delivery in her county, among other issues. What was most interesting in the testimony given against her during hearings before the Senate was the emerging fact that residents now travel to the neighbouring counties of Embu and Meru where specific health services apparently work better.

This is the oil of devolution. Devolution is working and people now have more choice as to where they get their services. Beyond impeachment, the competition between counties will eventually underscore the effectiveness of leadership - and that is pushing governors and county leaders to work harder and faster than ever.

Power has reached Ijara in Garissa where the residents had never needed electric bulbs, water pumps or fridges. When power was first switched on last year, and residents were able to buy milk from a store fridge for the first time, small businesses immediately began to think bigger, eyeing the massive food demands of towns in the vicinity, like Garissa, Malindi and Mombasa.

A 10-kilometre tarmac road changed the face of Maralal and the activities conducted there when it was launched in 2016 along with almost 35 kilometres of street lights in the town centre. Wajir County also got its first tarmac road, properly finished with drainage, foot paths and street lights, in 2018. The 25-kilometre stretch built at a cost of Sh1.2 billion is a local tourism attraction in the county.

Rural roads into the interior of every county are multiplying although not as fast as some would like.

Once more, counties hit the political wall when the chairperson of the Council of Governors, Wycliffe Oparanya approached central government to request the transfer of authority and money for feeder roads directly to counties. Currently, funding goes to the Kenya Urban Roads Authority and Kenya National Highways Authority who are quick to act on big highways but move slowly on roads that affect the lives of millions of rural people. Again, the counties' request was denied.

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Such strictures have caused counties to try a different approach. It started with a few counties in the Lake Victoria region coming together to discuss shared problems and a growing realisation that

working together on common interests had considerable advantages. For example, the issue of malaria as a health concern is a greater issue for Lake Basin counties than it is in non-Lake areas and the opportunity to tackle it together made sense.

The Lake Region Economic Bloc was born and is now a formally registered institution created by 14 counties and headed by a Council with the secretariat located in Kisumu. This allows it to leverage economies of scale in contracts and encourages inter-county trade as a collective. It has so far raised has Sh1.3 billion for its proposed banking initiative from contributions by counties. Other initiatives proposed include a ring road around Lake Victoria to encourage trade.

It is a model that has sparked much excitement and six economic blocs now exist. Last year, the six economic blocs met in Kirinyaga to learn from each other where it emerged that one of the blocs, the Frontier Counties Development Council, has already benefited from a Sh120 billion World Bank grant for projects. Compared to the 2020/2021 county share of national revenue of Sh369 billion to be shared between 47 counties, the potential of these blocs to move resources for development is clear.

The Frontier Counties Development Council comprises 11 counties. Jumuiya ya Kaunti za Pwani brings together the six coastal counties. North Rift Economic Bloc has eight county members while Mount Kenya and Aberdares Economic Bloc consists of 10 counties. The newest is the South Eastern Kenya Economic Bloc that comprises Makueni, Machakos and Kitui counties. Nairobi, Narok and Kajiado counties are not members of any bloc.

While this bigger devolution picture is emerging, it can never displace the foundations being shaped on the the ground. The development strides in Makueni County have inspired many news headlines. But more than the bold economic investments, the expansion of healthcare and social safety nets, Makueni represents a refreshing take on what leadership can be.

Sitting at an official public meeting in the capital Wote often feels more like a social gathering as Governor Kivutha Kibwana ends meetings by reciting the poetry he writes in Kikamba or by provoking shrieks of raucous laughter from the audience. The sense of community is reinforced when the Senator for Makueni and other local leaders regularly chip in. (Kibwana's latest poem is about COVID-19.) In 2018, Makueni hosted governors from the other 46 counties for a benchmarking conference on the county's successful public participation approach.

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As he approaches the end of his second term as governor, Kibwana is gunning for the presidency. Other governors expressing the same interest are Wycliffe Oparanya of Kakamega, Hassan Joho of Mombasa, Amason Kingi of Kilifi and Alfred Mutua of Machakos. That field is likely to expand, and for the first time since independence, Kenyans will be offered a field of candidates with a track record they can measure.

A different presidency will emerge if a former governor takes the helm in this changed environment where new rules are establishing, new players are emerging and citizens are the indisputable referees.

Until that time, like the athletes who have brought this country such fame and honour, Kenyans continue to press forward undaunted by the distance that remains, taking in the political hurdles and chaos as they come and always intent on the goal.

Embodied in the celebration and remembrance of Saba Saba is this spirit of Kenya - patient, determined, resilient and unfazed by chaos.

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